

## Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03

NSAE-00 PA-01 PRS-01 SP-02 SS-15 DHA-05 CU-04

/080 W

-----076431 131517Z /44

O 131405Z SEP 77

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC NIACT IMMEDIATE 8792

INFO AMEMBASSY BONN

AMCONSUL CAPE TOWN

AMEMBASSY DAR ES SALAAM

AMCONSUL DURBAN

AMCONSUL JOHANNESBURG

AMEMBASSY GABORONE

AMEMBASSY LONDON

AMEMBASSY LAGOS

AMEMBASSY LUSAKA

AMEMBASSY MAPUTO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 1 OF 2 PRETORIA 4735

E.O. 11652: GDS

TAGS: SF, PINT, PINS, SHUM

SUBJECT: DEATH OF STEVE BIKO

REF: PRETORIA 4729

1. FOLLOWING ARE FURTHER DETAILS ON THE DEATH OF STEVE  
BIKO (REFTEL).

2. BIKO, A FOUNDER OF SOUTH AFRICAN STUDENTS' ORGANIZATION  
AND HONORARY PRESIDENT OF THE BLACK PEOPLES' CONVENTION,  
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DIED EARLY THIS MORNING (SEPTEMBER 13) IN PRETORIA HOSPITAL.

BIKO WAS ARRESTED ON AUGUST 19 UNDER SECTION 6 OF THE TER-  
RORISM ACT AND TAKEN TO PORT ELIZABETH (PRETORIA 4300).

BLACK PEOPLES' CONVENTION SOURCES TELL US THAT THEY WERE  
NOTIFIED OF HIS DEATH THIS MORNING. ONLY THEN WERE THEY  
TOLD BY SECURITY POLICE THAT HE HAD BEEN TAKEN TO PRETORIA  
"BECAUSE HE WAS ILL".

3. ACCORDING TO ATTORNEY SHUN CHETTY'S OFFICE, BIKO'S BODY WAS TAKEN TO THE GOVERNMENT MORTUARY THIS MORNING FOR A POST-MORTEM. SHUN CHETTY'S OFFICE REQUESTED A POSTPONEMENT OF THE AUTOPSY. THE AUTOPSY IS TO "RECOMMENCE" AT 2 P.M. LOCAL TIME WITH A PATHOLOGIST APPOINTED BY THE FAMILY IN ATTENDANCE. IT IS NOT CLEAR IF THE AUTOPSY WAS INITIATED IN THE MORNING. ACCORDING TO PRESS SOURCES, JUSTICE MINISTER JIMMY KRUGER WILL MAKE A STATEMENT ON THE CASE THIS AFTERNOON.

4. COMMENT: BIKO IS THE MOST PROMINENT BLACK LEADER IN SOUTH AFRICA IN RECENT YEARS TO DIE WHILE UNDER DETENTION. ACCORDING TO THE LATEST COUNT, THERE HAVE BEEN 17 OTHER DEATHS IN DETENTION SINCE MARCH 1976 (PRETORIA A-134). BIKO'S DEATH WILL GENERATE ANGER AMONG THE BLACK COMMUNITY HERE AND SPARK A WIDE-RANGE OF INTERNATIONAL CRITICISM.

5. WE DO NOT KNOW THE CAUSE OF BIKO'S DEATH. IF THE GOVERNMENT HAS INITIATED AN AUTOPSY WITHOUT AN INDEPENDENT PATHOLOGIST PRESENT, SUSPICIONS WILL BE MULTIPLIED. THE GOVERNMENT HAS PREVIOUSLY USED SUCH TACTICS TO RENDER INCONCLUSIVE ANY SUBSEQUENT INDEPENDENT POST MORTEM EXAMINATION (PRETORIA 0439). IN ANY EVENT, GIVEN BIKO'S APPARENT GOOD HEALTH AND THE PATTERN OF DEATHS IN DETENTION, IN THE EYES OF BOTH DOMESTIC AND FOREIGN OBSERVERS, THE SAG WILL BEAR A HEAVY PRESUMPTION OF GUILT.

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YM THIS MISSION BELIEVES THAT THE DEATH OF STEVE BIKO IS A MATTER OF SUCH CONCERN THAT IT WARRANTS HIGH LEVEL COMMENT AND INSISTENCE THAT THE CAUSE OF HIS DEATH BE INVESTIGATED BY INDEPENDENT PATHOLOGISTS. THE COURSE OF ACTION WHICH WE RECOMMEND IS:

A) A STATE DEPARTMENT REPRESENTATION AT THE ASSISTANT SECRETARY LEVEL TO THE SAG AMBASSADOR EXPRESSING DEEP CONCERN OVER BIKO'S DEATH AND THE CIRCUMSTANCES IN WHICH THIS OCCURRED WITHOUT PRIOR NOTIFICATION OF THE STATE OF HIS HEALTH TO HIS FAMILY OR ATTORNEYS.

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C O N F I D E N T I A L SECTION 2 OF 2 PRETORIA 4735

B) HIGH LEVEL PUBLIC STATEMENTS BY AS MANY WESTERN GOVERN-  
MENTS AS POSSIBLE EXPRESSING DEEPEST CONCERN OVER THE DEATH OF  
STEVE BIKO AND CALLING FOR A FULL INVESTIGATION INTO THE  
CIRCUMSTANCES.

C) A PRIVATE APPROACH BY STATES SUCH AS US, UK, FRANCE,  
GERMANY, CANADA AND AUSTRALIA, THAT THE SAG ALLOW INTER-  
NATIONALLY RECOGNIZED PATHOLOGISTS UNDER THE AUSPICES OF THE  
GENEVA-BASED COMMISSION OF JURISTS TO PARTICIPATE IN AN AUTOPSY.

7. IN MAKING THE FOREGOING SUGGESTIONS, WE ARE MINDFUL OF  
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THE POSSIBLE EFFECT WHICH SUCH AN INITIATIVE COULD HAVE ON  
THE IMPORTANT EFFORTS NOW UNDER WAY ON RHODESIA AND NAMIBIA.  
WE BELIEVE, HOWEVER, SOUTH AFRICA WILL BE ON THE DEFENSIVE  
IN THE BIKO DEATH AND THAT IT WILL BE MOST CARFUL TO AVOID  
ALLOWING THIS INCIDENT TO INTERFERE WITH THE PURSUIT OF  
PEACEFUL SOLUTIONS TO THOSE PROBLEMS.

8. MOST LIKELY, THE SAG WILL RESOLUTELY DENY ANY RESPON-  
SIBILITY FOR BIKO'S DEATH AND PROBABLY WILL REJECT ANY

FOREIGN PARTICIPATION IN THE INVESTIGATION OF TH CIRCUM-  
STANCES. WHATEVER THE FACTS IN THIS CASE, THE REALITY IS  
THAT THE STRUCTURE OF SOUTH AFRICAN SECURITY LEGISLATION  
CREATES THE ENVIRONMENT FOR PRISONER ABUSE. IF INTERNATIONAL  
HEAT IS APPLIED OVER BIKO'S DEATH, IT MAY FORCE THE GOVERN-  
MENT TO TAKE MEASURES TO REDUCE THE MISTREATMENT OF PRISONERS  
HELD UNDER SECURITY LEGISLATION. THE SAG HAS HERETOFORE  
IGNORED DEMANDS FROM OPPOSITION POLITICIANS, NEWSPAPERS,  
AND THE SOUTH AFRICAN INSTITUTE OF RACE RELATIONS FOR AN  
INDEPENDENT JUDICIAL COMMISSION OF INQUIRY INTO CONDITIONS  
UNDER WHICH SECURITY DETAINEES ARE HELD AND INTERROGATED.  
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